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John Hane

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EXAMINER

HUNNINGS, TRAVIS R

ART UNIT

PAPER NUMBER

2612

MAIL DATE

DELIVERY MODE

10/16/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/667,330

Applicant(s)

HANE, JOHN

Examiner

Travis R. Hunnings

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-15,17-29 and 31-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-15,17-29 and 31-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 August 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1, 5-8, 10, 13, 15, 19-22, 24, 27, 29 and 33-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemons et al. (Lemons; US Patent 6,504,479) in view of Shere (US Patent 6,392,538) and further in view of Dillon et al. (Dillon; US Patent 6,658,463).

Regarding claim 1, Lemons discloses *Integrated Security System* that has the following claimed limitations:

The claimed detecting means for detecting the presence of an intruder in a predetermined area or a plurality of predetermined areas is met by the burglar alarm system (column 3, lines 1-8);

The claimed communicating means for communicating via communication signals from a subscriber location to a processing center the detection of the presence of the intruder in the predetermined area or in one or more of the plurality of predetermined areas is met by the system communicating alarm system information from the monitored area to the control center (column 2, lines 31-65);

The claimed receiving means to receive signals from the processing center at the subscriber location is met by the communications channel being able to send data to the monitored area (column 3, lines 9-23);

The claimed satellite signals received from the processing center carry data to activate a local alarm/warning system at the subscriber location is met by the control center sending commands able to control all aspects of the local alarm system at the monitored area (column 3, lines 33-41; column 4, lines 42-45; column 5, lines 15-25; column 8, lines 65-67).

However, Lemons does not specifically disclose the claimed satellite signals encode data alerting the processing center to the presence of said intruder in said predetermined area or said one or more of the plurality of predetermined areas. Shere discloses *Advanced Services Interactive Security System* that teaches a security system with bi-directional communications using satellites (column 3, lines 3-15). Modifying Lemons to utilize satellites for communication would increase the flexibility of the device by providing an alternate form of communication. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Lemons according to the teachings of Shere to utilize satellite communications to communicate from the control center to the monitored area.

Lemons and Shere disclose all of the claimed limitations except for the claimed security system wherein the communicating means comprises a satellite return channel. Dillon discloses *Satellite Multicast Performance Enhancing Multicast HTTP Proxy System And Method* that teaches using a satellite return channel to accomplish two-way

communication in common satellite networks (col3 58-67). Utilizing a satellite return channel in the device of Lemons and Shere would accomplish the two-way communication needed by the communication link when the remote monitor and base stations communicate with each other. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Lemons and Shere according to the teachings of Dillon to use a satellite return channel to accomplish the two-way communication.

Regarding claim 5, the claimed security system wherein the detecting means comprises a detection apparatus interface is met by the burglar alarm system (column 3, lines 1-8).

Regarding claim 6, the claimed security system wherein the processing center comprises a provider antenna for transmitting and/or receiving satellite signals is met by the communications channel for communicating through satellites from the control center to the monitored area (Shere: column 3, lines 3-15). The communication link associated between the base station and remote monitors would inherently have an antenna to accomplish the satellite communications.

Regarding claim 7, the claimed security system wherein the predetermined area or plurality of predetermined areas is operatively associated with a subscriber antenna at a subscriber location is met by the burglar alarm system monitoring the monitored

Art Unit: 2612

area (column 2, lines 31-63) having a communications channel through satellite communications (Shere: column 3, lines 3-15).

Regarding claim 8, Lemons discloses the use of a communications channel for the reporting of alarms from the burglar alarm system (column 2, lines 31-63) it would have been obvious to one of ordinary skill in the art that when an alarm condition is detected at a remote location being monitored that instantaneous reporting of that condition to the central control center would have been advantageous.

Regarding claim 10, the claimed security system wherein the detection of the intruder alters the frequency of the satellite signals is met by the reporting of alarms from the burglar system (column 2, lines 31-63). The frequency of the signals when an intrusion is not detected is zero because there are no signals being sent and when the intrusion is detected the frequency of the signals changes because a signal is then sent to the control center.

Regarding claim 13, the claimed security system further comprising processing means at the processing center for processing satellite signals encoding data alerting said processing center to the presence of the intruder in the predetermined area or plurality of predetermined areas is met by the control center receiving the reporting of alarms from the burglar alarm system through the communications channel (column 2, lines 31-63).

Art Unit: 2612

Regarding claim 15, the claim is interpreted and rejected as claim 1 stated above.

Regarding claim 19, the claim is interpreted and rejected as claim 5 stated above.

Regarding claim 20, the claim is interpreted and rejected as claim 6 stated above.

Regarding claim 21, the claim is interpreted and rejected as claim 7 stated above.

Regarding claim 22, the claim is interpreted and rejected as claim 8 stated above.

Regarding claim 24, the claim is interpreted and rejected as claim 10 stated above.

Regarding claim 27, the claim is interpreted and rejected as claim 13 stated above.

Art Unit: 2612

Regarding claim 29, the claim is interpreted and rejected as claim 1 stated above.

Regarding claim 33, the claim is interpreted and rejected as claim 5 stated above.

Regarding claim 34, the claim is interpreted and rejected as claim 6 stated above.

Regarding claim 35, the claim is interpreted and rejected as claim 7 stated above.

Regarding claim 36, the claim is interpreted and rejected as claim 1 stated above.

Regarding claim 37, the claim is interpreted and rejected as claim 6 stated above.

Regarding claim 38, the claim is interpreted and rejected as claim 1 stated above.



Regarding claim 39, the claim is interpreted and rejected as claim 1 stated above.

3. Claims 3, 4, 17, 18, 31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemons in view of Shere in view of Dillon and further in view of Taylor (US Patent 6,643,510).

Regarding claim 3, Lemons, Shere and Dillon disclose all of the claimed limitations except for the claimed security system wherein the satellite signals are transmitted at a DBS frequency. Taylor discloses *Mobile Platform Real Time Availability And Content Scheduling System And Method* that teaches a satellite communication link that operates on the DBS frequency (col7 10-19). Configuring the device of Lemons and Shere to operate the communication link on a satellite frequency that is concurrent with the DBS frequency would be beneficial because the DBS frequency is a common frequency used by satellite systems. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Lemons, Shere and Dillon according to the teachings of Taylor to set up the satellite signals to operate in the DBS frequency range.

Regarding claim 4, Lemons, Shere and Dillon disclose all of the claimed limitations except for the claimed security system wherein the satellite signals are transmitted at a FSS frequency. Taylor teaches a satellite communication link that

Art Unit: 2612

operates on the FSS frequency (col7 10-19). Configuring the device of Lemons and Shere to operate the communication link on a satellite frequency that is concurrent with the FSS frequency would be beneficial because the FSS frequency is a common frequency used by satellite systems. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Lemons, Shere and Dillon according to the teachings of Taylor to set up the satellite signals to operate in the FSS frequency range.

Regarding claims 17 and 31, the claims are interpreted and rejected as claim 3 stated above.

Regarding claims 18 and 32, the claims are interpreted and rejected as claim 4 stated above.

4. Claims 9 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemons in view of Shere in view of Dillon and further in view of Stadler (US Patent 6,764,261).

Regarding claim 9, Lemons, Shere and Dillon disclose all of the claimed limitations except for the claimed security system wherein the detection of the intruder interrupts the transmission of satellite signals. Stadler discloses *Locking Device And Method For Catch Basin And Manhole Covers, And The Like* that teaches a device that

Art Unit: 2612

monitors for the occurrence of a specific security event and constantly sends out signals from the device to a remote location, upon the detection of the specific security event the device halts sending the signals so the remote location can determine that the event has occurred (col4 57-63). Altering the reporting mode of the device of Lemons, Shere and Dillon to constantly send signals to the base station until an intrusion is detected by the one or more object sensors would not only allow the device to detect the intrusion but it would also allow it to detect a fault in the system if a particular component failed in the communication link as that too would cause an event condition. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Lemons, Shere and Dillon according to the teachings of Stadler to alter the reporting mode so that detection of intrusion would stop the transmission of satellite signals.

Regarding claim 23, the claim is interpreted and rejected as claim 9 stated above.

5. Claims 11 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemons in view of Shere in view of Dillon and further in view of Jang (US Patent 6,614,884).

Regarding claim 11, Lemons, Shere and Dillon disclose all of the claimed limitations except for the claimed security system wherein the frequency of the satellite

Art Unit: 2612

signals corresponds to a predetermined security condition. Jang discloses *Automatic Home Alarm System And Method* that teaches a security system with a plurality of monitored areas, each monitored area has a sensor that is assigned a particular frequency when it reports to the signal-receiving unit (col4 33-47). Modifying the communication link of Lemons, Shere and Dillon to assign each monitored area a particular frequency would help the base station to determine which particular area is reporting an intrusion event. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Lemons, Shere and Dillon according to the teachings of Jang to assign each particular monitored area a particular frequency.

Regarding claim 25, the claim is interpreted and rejected as claim 25 stated above.

6. Claims 12, 14, 26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemons in view of Shere in view of Dillon and further in view of Dohrmann (US Patent 6,577,234).

Regarding claim 12, Lemons, Shere and Dillon disclose all of the claimed limitations except for the claimed security system further comprising selection means for selecting an active or inactive mode for the security system. Dohrmann discloses *Security System* that teaches a security system that has a selection means for arming

Art Unit: 2612

and disarming the security system (col1 41-58). Adding a selection means to Lemons, Shere and Dillon to allow for the system to be turned active or inactive would add flexibility to the device and allow for the device to be turned off in particular areas that do not need to be monitored all of the time. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Lemons, Shere and Dillon according to the teachings of Dohrmann to include selection means to set the security system in an active or inactive mode.

Regarding claim 14, Lemons, Shere and Dillon disclose all of the claimed limitations except for the claimed security system further comprising means for providing local response to the detection of the intruder. Dohrmann teaches a local response to the triggering of the security system (col1 41-58). Adding a means for local response to Lemons, Shere and Dillon would allow for notification of the intrusion event to users who are within the vicinity of the remote monitored areas and allow them to react accordingly. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Lemons, Shere and Dillon according to the teachings of Dohrmann to include a local response in the security system.

Regarding claim 26, the claim is interpreted and rejected as claim 12 stated above.

Regarding claim 28, the claim is interpreted and rejected as claim 14 stated above.

### ***Response to Arguments***

7. Applicant's arguments filed 17 September 2007 have been fully considered but they are not persuasive. Applicant argues the following:

Argument A: One of ordinary skill in the art would not have modified Lemons with Shere and Dillon because they are drawn to different areas of prior art.

Argument B: Lemons teaches away from a satellite return channel and it would have been improper hindsight motivation to combine Lemons with Shere and Dillon.

#### Responses:

Regarding argument A, In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. In this case, the prior art references were found in a search of *of remote reporting, Condition monitoring and communications* relative prior art that one of ordinary skill in the art would have known.

Regarding argument B, while Lemons might teach a one-way communication system, it would not have been beyond the scope of understanding for one of ordinary

Art Unit: 2612

skill in the art to modify the device to utilize bi-directional communication including a satellite return channel in order to provide more functionality for alternate uses.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper.

### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Travis R. Hunnings whose telephone number is (571) 272-3118. The examiner can normally be reached on 8:00 am - 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2612

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TRH

  
**BENJAMIN C. LEE**  
**PRIMARY EXAMINER**